

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
Baltimore Division**

In re: *
* Bankr. Case No.: 17-23124-MMH
DESRINE SCHOBURGH, *
* Chapter 7
Debtor. *

*
DESRINE SCHOBURGH, * Adv. Proc. No.: 18-00007
*
Plaintiff, *
*
v. *
*
PENNSYLVANIA HIGHER EDUCATION *
ASSISTANCE AGENCY, INC., *
RICHLAND STATE BANK, *
EDUCATION INVESTMENT COMPANY *
LLC, and NAVIENT SOLUTIONS, LLC, *
*
Defendants. *

**NAVIENT SOLUTIONS, LLC'S ANSWER TO FIRST AMENDED COMPLAINT TO
DETERMINE DISCHARGEABILITY OF DEBT**

Navient Solutions, LLC (“Navient”), by and through its undersigned counsel, hereby provides its Answer to the allegations of Plaintiff, Desrine Schoburgh (“Plaintiff”)’s, First Amended Complaint to determine dischargeability of debt (“Complaint”), and states as follows:

INTRODUCTION

Navient’s answer to Plaintiff’s unnumbered paragraph: Admitted only to the extent that Navient is the holder of educational loan debt owed by the Plaintiff. Portions of this paragraph of Plaintiff’s First Amended Complaint are conclusions of law and / or requests for relief, to which no answer is required, but are nevertheless denied. As to the remaining allegations of this paragraph of Plaintiff’s First Amended Complaint, Navient is without information or knowledge

sufficient to form a belief as to the truth of the averments contained within this paragraph of Plaintiff's Complaint and, therefore, denies same.

PARTIES

1. Admitted.

2. – 4. These paragraphs of Plaintiff's First Amended Complaint are not related to Plaintiff's claims against Navient, and as such, Navient provides no response.

5. Admitted for purposes of this adversary proceeding only.

JURISDICTION AND VENUE

6. Admitted, except to the extent that only the determination of undue hardship discharge is a core proceeding.

FACTUAL AND PROCEDURAL BACKGROUND

7. – 16. Navient is without information or knowledge sufficient to form a belief as to the truth of the averments contained within these paragraphs of Plaintiff's First Amended Complaint and, therefore, denies same.

17. Admitted only to the extent that Plaintiff is indebted to Navient on six educational loans, with an aggregate balance, including principal, interest and fees, in excess of \$284,113.97.

COUNT I – DECLARATORY JUDGMENT

18. No response.

19. – 21. These paragraphs of Plaintiff's First Amended Complaint are not related to Plaintiff's claims against Navient, and as such, Navient provides no response.

22. Admitted only to the extent Navient did not file a Proof of Claim in Plaintiff's Chapter 7 case. By way of further response, Plaintiff's Chapter 7 case is a "no asset" bankruptcy case and the Notice of Meeting of Creditors instructed creditors not to file Claims.

23. – 26. These paragraphs of Plaintiff's First Amended Complaint are conclusions of law, to which no answers are required, but are nevertheless denied.

COUNT II – DETERMINATION OF DISCHARGEABILITY

27. No response.

28. – 32. Navient is without information or knowledge sufficient to form a belief as to the truth of the averments contained within these paragraphs of Plaintiff's First Amended Complaint and, therefore, denies same.

WHEREFORE, Navient Solutions, LLC respectfully requests judgment in its favor and against Plaintiff and such other relief as is just and equitable.

Respectfully submitted,

By: /s/ Jeffrey L. Friedman
Jeffrey L. Friedman
Friedman & Associates
100 Owings Court
Suite 4
Reisterstown, MD 21136
Telephone: (410) 526-4500
Facsimile: (410) 526-4587
Email: jeff@friedmanlaw.net
Attorneys for Navient Solutions, LLC

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify that I am more than 18 years of age and not a party to the matter concerning which service was accomplished. I further certify that on the 6th day of March, 2018, I served by first class United States mail, postage prepaid, a true and correct copy of

**NAVIENT SOLUTIONS, LLC'S ANSWER TO FIRST AMENDED COMPLAINT TO
DETERMINE DISCHARGEABILITY OF DEBT**

upon the following persons:

Wendell Finner
9407 Harford Road
Baltimore, MD 212134

By: /s/ Jeffrey L. Friedman
Jeffrey L. Friedman
Friedman & Associates
100 Owings Court
Suite 4
Reisterstown, MD 21136
Telephone: (410) 526-4500
Facsimile: (410) 526-4587
Email: jeff@friedmanlaw.net
Attorneys for Navient Solutions, LLC